In the High Court of Punjab and Haryana at Chandigarh

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WTR 71 to 76 of 1992

Date of decision:7.12. 2006

The Commissioner of Wealth-tax, Jalandhar Petitioner

Versus

Mehnga Singh .Respondent

Coram: **Hon'ble Mr.Justice Adarsh Kumar Goel**
Hon'ble Mr.Justice Rajesh Bindal

Present: Dr. N. L. Sharda,Advocate
for the Revenue

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ORDER:

Following question of law has been referred for opinion of this Court by the Income-tax Appellate Tribunal, Amritsar Bench, Amritsar, arising out of its order dated 27.8.1990 in WTA Nos.21 to 26(ASR)/1987 in respect of assessment years 1968-69 to 1973-74:-

> "Whether on the facts and circumstances of the case, the Tribunal was right in law in upholding the order of the AAC,in which the AAC has cancelled the penalties levied by the WTO u/s 18(1)(a) of the Wealth-tax Act,1957 ?

While deciding WTR Nos.64 to 70 of 1992 today in assessee's own case for these very assessment years in quantum proceedings, the issue has been decided against the revenue and in favour of the assessee.

Accordingly, there would be no question of levy of penalty, being consequential. Accordingly, the question referred is answered against the revenue and in favour of the assessee.

(Rajesh Bindal)
Judge

December 7,2006
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(Adarsh Kumar Goel)
Judge